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\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

August 17, 2001

WRITER'S DIRECT NUMBER:  
(202) 218-7834

INTERNET ADDRESS:  
BHAANES@SKGF.COM

Commissioner for Patents  
Washington, D.C. 20231

**Box Missing Parts**

Re: U.S. Utility Patent Application  
Appl. No. 09/839,574; Filed: April 23, 2001  
For: **Compositions and Methods for *in vivo* Delivery of  
Polynucleotide-Based Therapeutics**  
Inventors: Manthorpe *et al.*  
Our Ref: 1530.0180002/EKS/EJH

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated June 18, 2001, Applicant(s) submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. PTO Fee Transmittal Form PTO/SB/17;
2. Authorization To Treat A Reply As Incorporating An Extension Of Time Under 37 C.F.R. § 1.136(a)(3) (*in duplicate*);
3. Copy of the Notice to File Missing Parts;
4. Original Declaration, executed by the inventors;
5. An original executed Power of Attorney from Assignee;

Commissioner for Patents

August 17, 2001

Page 2

6. Assignee 37 C.F.R. § 3.73(b) Statement with copy of Assignment attached (*not for recordation*);
7. Letter to PTO Draftsman: Submission of Formal Drawings (Figs. 1, 2A, 2B, 2C-2D, 3, 4A-4C, 5A-5C, 6A-6F, 7A-7B, 8, 9A-9B, 10, 11, 12, 13, 14, 15, 16A-16B, 16C, 16D, 17A-17B, 18, 19A, 19B, 20A, 20B, 21, 22, 23, 24, 25, and 26);
8. Return postcard; and
9. Our Check No. **31963** for **\$1,827.00** to cover:  
\$ 355.00 Filing Fee for Patent Application (37 C.F.R. § 1.16)  
\$ 1,407.00 Fee for excess claims (37 C.F.R. § 1.16)  
\$ 65.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16)

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



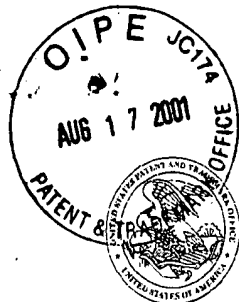
Elizabeth J. Haanes, Ph.D.

Agent for Applicants

Registration No. 42,613

EJH/pcd

Encls.



#3

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/839,574	04/23/2001	Marston Manthorpe	1530.0180002

CONFIRMATION NO. 1437

26111

STERNE, KESSLER, GOLDSTEIN & FOX PLLC  
1100 NEW YORK AVENUE, N.W., SUITE 600  
WASHINGTON, DC 20005-3934

## FORMALITIES LETTER



\*OC000000006192996\*

Date Mailed: 06/18/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

02/20/2001 HADDI1 00000049 09839574

FILED UNDER 37 CFR 1.53(b)

02/20/2001 355.00 OP  
02/20/2001 1287.00 OP  
02/20/2001 65.00 OP  
02/20/2001 120.00 OP

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1447.
  - \$1287 for 143 total claims over 20.
  - \$160 for 4 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1867.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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*A copy of this notice MUST be returned with the reply.*

*pa*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

FOI b7E b7C b7D

Patent fees are subject to annual revision.

	(\$1,827.00
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**Complete if Known**

Application Number	09/839,574
Filing Date	April 23, 2001
First Named Inventor	Marston Manthorpe
Examiner Name	To be assigned
Group Art Unit	1646
Attorney Docket No.	1530.0180002/EKS/EJH

TOTAL AMOUNT OF PAYMENT

**METHOD OF PAYMENT (check one)**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 19-0036

Deposit Account Number	19-0050
Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.

☐ Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

■ Applicant claims small entity status  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

2. ☒ Payment Enclosed: ☐ Money Order ☒ Other\*

☒ Check ☐ Credit card

\*Charge any deficiencies or credit any overpayments in the fees or fee of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

\*Charge any deficiencies or calculations of Parts 1, 2 and 3 below to Department

**FEE CALCULATION**

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
				Utility filing fee	<u>355.00</u>
101	710	201	355	Design filing fee	_____
106	320	206	160	Plant filing fee	_____
107	490	207	245	Reissue filing fee	_____
108	710	208	355	Provisional filing fee	_____
114	150	214	75		

**SUBTOTAL (1) (\$)** 355.00

## 2. EXTRA CLAIM FEES

2. EXTRA CLAIM FEES		Extra	Fee from below	Fee Paid
Total Claims	163	- 20** = 143	X 9	= 1,287.00
Indep. Claims	6	- 3** = 3	X 40	= 120.00

Multiple Dependent

Large Fee Code	Enty Fee (\$)	Small Fee Code	Enty Fee (\$)	Fee Description
	18	203	9	Claims in excess of 20
103	80	202	40	Independent claims in excess of 3
102	270	204	135	Multiple dependent claim
104	80	209	40	**Reissue independent claims over original patent
108	18	210	9	**Reissue claims in excess of 20 and over original patent
110				

**SUBTOTAL (2)** (\$) 1,407.00

SUBTOTAL (2) (\$) 1.45

\*\* or number previously paid, if greater. For Reissues, see above

SUBMITTED BY

SUBMITTED BY	Elizabeth J. Haanes, Ph.D.
Name (Print/Type)	

**Signature**

Elizabeth J. Haanes, Ph.D.

Registration No.  
(Attorney/Agent)

42,613

Telephone

202-371-2600

Date \_\_\_\_\_

August 17, 2001

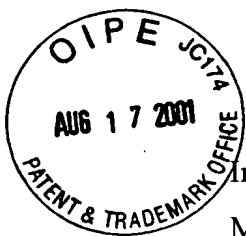
**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. To take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any company, parent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMMISSIONS TO THE PTO.

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Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to take 0.2 hours to complete.

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Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Manthorpe *et al.*

Appl. No. 09/839,574

Filed: April 23, 2001

For: **Compositions and Methods for *in vivo* Delivery of Polynucleotide-Based Therapeutics**

Confirmation No. 1437

Art Unit: 1646

Examiner: To be assigned

Atty. Docket: 1530.0180002/EKS/EJH

Batch No. N/A

**Letter to PTO Draftsman: Submission of Formal Drawings**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith are twenty-nine (32) sheets of formal drawings with Figures 1, 2A, 2B, 2C-2D, 3, 4A-4C, 5A-5C, 6A-6F, 7A-7B, 8, 9A-9B, 10, 11, 12, 13, 14, 15, 16A-16B, 16C, 16D, 17A-17B, 18, 19A, 19B, 20A, 20B, 21, 22, 23, 24, 25, and 26, corresponding to the informal drawings submitted with the above-captioned application. Identification of the drawings is provided in accordance with 37 C.F.R. § 1.84(c). Acknowledgment of the receipt, approval, and entry of these formal drawings into this application is respectfully requested.

In Reply to the requirements under 37 C.F.R. § 1.84(b)(1) for a petition and/or fee for Acceptance of Black and White Photographs, Applicants request that the requirement be withdrawn. 1213 OG 108.

It is not believed that an extension of time is required, other than any already provided herewith. However, if an extension of time is needed to prevent abandonment of the application, then such extension of time is hereby petitioned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this Letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX, P.L.L.C.

Elizabeth J. Haanes, Ph.D.

Agent for Applicants

Registration No. 42,613

Date: August 17, 2001  
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